

LAW OFFICES OF GEORGE W. NOWELL
120 Montgomery Street, Suite 1990
San Francisco, CA 94104
Phone: (415) 362-1333 Fax: (415) 362-1344

GEORGE W. NOWELL, SBN: 83868
george.nowell@nowelllaw.com
PAUL B. ARENAS, SBN: 167863
paul.arenas@nowelllaw.com
LAW OFFICES OF GEORGE W. NOWELL
120 Montgomery Street, Suite 1990
San Francisco, CA 94104
Telephone: (415) 362-1333
Facsimile: (415) 362-1344
Attorneys for Defendant:
BAX GLOBAL, INC.

MICHAEL J. CUMMINS, SBN: 184181
mcummins@gibsonrobb.com
GIBSON ROBB & LINDH LLP
100 First Street, 27th Floor
San Francisco, CA 94105
Telephone: (415) 348-6000
Facsimile: (415) 348-6001
Attorneys for Plaintiffs:
THE NISSAN FIRE AND MARINE
INSURANCE COMPANY, LTD., and
HITACHI DATA SYSTEMS CORP.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

THE NISSAN FIRE AND MARINE)	CASE NO.: C 02-02516 JSW
INSURANCE COMPANY, LTD., AND)	
HITACHI DATA SYSTEMS CORP.,)	JOINT STATUS REPORT
)	AND STIPULATION TO SET
Plaintiffs,)	A FURTHER CASE
)	MANAGEMENT
)	CONFERENCE; ORDER
v.)	
)	
BAX GLOBAL, INC., AND CATHAY)	
PACIFIC AIRWAYS, LTD.,)	
)	
Defendants.)	
)	
)	
)	

Following the Court's issuance of its order dated May 12, 2009, the parties have been engaged in settlement discussions for purposes of trying to globally resolve the case, which discussions specifically include the attorney's fees amount. In the event that such discussions

do not result in a settlement, plaintiffs THE NISSAN FIRE AND MARINE INSURANCE COMPANY, LTD., and HITACHI DATA SYSTEMS CORP., (collectively ‘NISSAN’ or ‘Plaintiffs’), will then file a motion to the Court for the amount of attorney’s fees it seeks in this case, which may in turn result in defendant BAX GLOBAL INC. (“defendant” or “BAX”) filing an opposition to same. As the parties would like sufficient time to try and resolve this issue prior to filing any submissions to the Court, the parties, through their respective counsel, stipulate and request that the Court set a further case management conference for July 10, 2009 (or some other later date convenient to the Court’s calendar) to either set a hearing date and a briefing schedule on the attorney’s fee motion if the case is not settled or refer this case out for a settlement conference if the parties agree.

Further, while the Court has not entered judgment on its May 12, 2009 order and while the parties believe that the 30 day period for filing a notice of appeal has not yet started to run, BAX has some concern that it may be later determined that the 30 day period for filing an appeal started to run on May 12, 2009. As a result, BAX, out of an abundance of caution, may file a notice of appeal prior to June 12, 2009 so as to ensure that it does not lose its rights to later file an appeal should this case not be resolved.

IT IS SO STIPULATED.

Dated: June 11, 2009

LAW OFFICES OF GEORGE W. NOWELL

By: S/ PAUL B. ARENAS
PAUL B. ARENAS
Attorneys for Defendant
BAX GLOBAL, INC.

Dated: June 11, 2009

GIBSON ROBB & LINDH

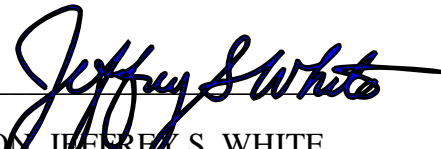
By: S/ MICHAEL J. CUMMINS
MICHAEL J. CUMMINS

Attorneys for Plaintiff
THE NISSAN FIRE AND MARINE INSURANCE
COMPANY, LTD., AND HITACHI DATA
SYSTEMS CORP.,

ORDER

The Court HEREBY SETS a further case management conference for July 17, 2009 at 1:30 p.m.
IT IS SO ORDERED.

DATED: June 12, 2009



HON. JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE

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San Francisco, CA 94104
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